REMARKS/ARGUMENTS

Reconsideration of the application in view of the above amendments and the following remarks it is respectfully requested. Claims 1, 9, and 17 have been amended. Claims 1-24 are currently pending in the application.

I.   CLAIM REJECTIONS—35 U.S.C. § 103

Claims 1-24 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over ("Armstrong") U.S. PG Publication No. US 2002/0156824 A1. This rejection is respectfully traversed.

Claim 1 has been amended to clarify the claimed invention and appears as follows:

1.   A machine-implemented method, comprising:
establishing, within a global operating system environment provided by an
        operating system, a non-global partition, among a plurality of non-global
        partitions within the global operating system environment, which serves to
        isolate processes running within the non-global partition from other non-
        global partitions within the global operating system environment, wherein
        the non-global operating system partitions do not each have a separate
        operating system kernel executing therein;
associating a first resource limit with the non-global partition, wherein the first
        resource limit indicates a maximum amount of a particular resource that
        can be allocated to the non-global partition; and
associating a second resource limit with a group of one or more processes within
        the non-global partition, wherein the second resource limit indicates a
        maximum amount of the particular resource that can be allocated to the
        group of one or more processes.

In particular, Armstrong does not teach or disclose establishing, within a global operating system environment provided by an operating system, a non-global partition, among a plurality of non-global partitions within the global operating system environment, which serves to isolate processes running within the non-global partition from other non-global partitions

within the global operating system environment, wherein the non-global operating system partitions do not each have a separate operating system kernel executing therein as cited in Claim 1. This feature makes it extremely clear that the non-global operating system partitions are partitions of a global operating system environment provided by an operating system. They are not each their own separate global operating system environment, as would be the case if they each had a separate operating system kernel executing therein. This amendment is amply supported by the Specification (see e.g. paragraph 0027, Fig. 1 (which clearly shows multiple non-global operating system partitions 104(a), 104(b) but only one operating system kernel 150), etc.).

The method of claim 1 is neither disclosed nor suggested by Armstrong. Instead, Armstrong teaches the opposite of that which is recited in claim 1. As shown clearly in Fig. 2 of Armstrong, there is a separate OS kernel executing within each of the logical partitions (also see the last sentence of paragraph [0026] and [0035]). This means that each logical partition of Armstrong has its own operating system environment provided by its own OS kernel. Unlike the method of claim 1, there is nothing in Armstrong (as far as Applicants can see) that discloses or suggests establishing a plurality of non-global operating system partitions within a global operating system environment provided by an operating system, wherein the non-global operating system partitions do not each have a separate operating system kernel executing therein. The Final Office Action supports this by stating on page 3, item 8, "However, Armstrong teaches that separate operating systems are installed in each one the logical partitions ([0035])." Because Armstrong fails to disclose or suggest at least this aspect of claim 1, Applicants respectfully submit that claim 1 is patentable over Armstrong.

Therefore, Armstrong does not teach or disclose the invention as claimed.

Claim 1 is allowable. Claims 9 and 17 are similarly allowable. Claims 2-8, and 10-16, and 18-24 are dependent upon independent Claims 1, 9, and 17, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

II.   CONCLUSION

For the foregoing reasons, Applicant submits that all of the pending claims are patentable over the art of record, including any art cited but not applied. Accordingly, allowance of all of the pending claims is hereby respectfully solicited.

The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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